

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

COMMONWEALTH OF PUERTO RICO and
the PUERTO RICO POLICE DEPARTMENT,

Defendants.

NO. 3:12-cv-2039 (GAG)

AMENDED RESPONSE TO MOTION IN COMPLIANCE WITH TRANSITION ORDER

TO THE HON. GUSTAVO A. GELPÍ, CHIEF U.S. DISTRICT JUDGE:

NOW COMES, John Romero, in his capacity as Federal Police Monitor, who respectfully, through the General Counsel of the Federal Police Monitor's Office ("Monitor's Office"), states and prays as follows:

On October 15 and 26, 2020, the Monitor's Office notified the defendants with data requests related to the Third Court Monitoring Report.

On November 18, 2020, the Court issued a Transition Order. See ECF No. 1614. The Transition Order required defendants, among other things, to produce by December 15, 2020 "all information requested by the Monitor as of the date of this Order in connection with the Third Court Monitoring Report." Id., at 6, ¶ II(F).

On December 8, 2020, the Monitor's Office reminded the defendants of the December 15th Transition Order deadline. It further requested that defendants provide a list of cases secondary to the October 15th and October 26th data requests so the Monitor's Office could select a random number of cases and files for review. The Monitor's office also advised that additional data requests would be notified and that all documents should be produced by no later than December 31, 2020.

On December 17, 2020, PRPB filed a motion in compliance with the Transition Order. See ECF No. 1654. The motion states, in part, that “PRPB is pleased to inform this Honorable Court that it has produced to the Federal Monitor all information requested in connection with the Third Court Monitoring Report.” See ECF No. 1654, ¶ 12.

The Monitor’s Office respectfully informs the Court that the defendants have not produced all the information requested in connection with the Third Court Monitoring Report. The Monitor’s Office did receive multiple documents on December 11 and December 15, but not all documents were responsive nor complete to the data requests notified in October. To this end, on December 18, 2020, the Monitor’s Office sent defendants a list of sample files needed as per the documents received on December 11 and December 15 and a third data request to be able to complete the analysis for the Third Court Monitoring Report.

The Monitor’s Office further informs that defendants have requested an extension until January 8 and January 15, 2021 to produce the pending data requests for the Third Court Monitoring Report and that such extensions have been denied. The Monitor’s Office informed that it will be only considering documents produced by December 31, 2020 for purposes of the Third Court Monitoring Report which draft is due by February 15, 2021.

WHEREFORE, the Federal Police Monitor, John Romero, respectfully requests that the Court take notice of the above.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 30th day of December 2020.

I HEREBY CERTIFY that on this same date a copy of the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, which in turn notifies all counsel of record in the case.

**CORREA-ACEVEDO & ABESADA
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